



FloorPrep

Legislative Digest

Thursday, February 12, 1998

John Boehner
Chairman
8th District, Ohio

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.Res. ____ —Resolution Regarding the Contested Election in the 46th District of California

H.R. 1428—Voter Eligibility Verification Act

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H.Res. ____ —Resolution Regarding the Contested Election in the 46th District of California

Floor Situation: Mr. Thomas is expected to introduce a privileged resolution regarding the Dornan-Sanchez contested election as the first order of business today. The resolution is debatable for one hour and may not be amended.

Summary: H.Res. ____ dismisses the election contest by former Congressman Robert Dornan against Loretta Sanchez, Congresswoman from the 46th Congressional District of California. The resolution was introduced by Mr. Thomas and was reported by the House Oversight Committee by a vote of 8-1.

Views: The Republican leadership supports passage of the resolution.

Additional Information: See *Legislative Digest*, Vol. XXVII, #2, February 6, 1998.

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H.R. 1428—Voter Eligibility Verification Pilot Program Act

Floor Situation: The House is scheduled to consider H.R. 1428 today under suspension of the rules after it completes consideration of H.Res. _____. It is debatable for 40 minutes, may not be

amended, and requires a two-thirds majority vote for passage. Mr. Horn is expected to offer an amendment in the nature of a substitute on behalf of the Judiciary Committee to replace the base text of the bill.

Summary: H.R. 1428, as amended, authorizes a pilot program through September 30, 2001, to create a voluntary confirmation system through which voter applications for federal, state, and local elections can be considered. The proposed system relies on records from both the Social Security Administration (SSA) and the Immigration and Naturalization Service (INS) to ensure that applicants are U.S. citizens before granting them voting privileges. The pilot program will apply to five states, including Texas, Illinois, Florida, California, and New York.

Under the proposed confirmation system, state voter registration officials must provide the name, date of birth, and social security number of voter applicants to an Attorney General-designed system, which facilitates delivery of the information to the SSA and INS. The SSA, in turn, will compare this information with its existing records to make a match with agency records and determine whether the voter is recorded as a U.S. citizen or was born in the U.S., thereby, whether the applicant is eligible to vote in a federal election, and most state or local elections. If the SSA is unable to provide such a confirmation, the voter applicant's information is forwarded to the INS, which uses existing INS records to attempt to match the name and date of birth of an applicant and determine whether the applicant is a U.S. citizen. If, after exhausting the resources of both agencies, an applicant is found to be a non-citizen, or if no such confirmation can be made, voter registration officials must notify the applicants in writing that they could not confirm their citizenship, and thus may deny them voting privileges or offer provisional voting rights contingent on their citizenship status ultimately being confirmed.

Finally, applicants may appeal a non-confirmation decision within 30 days of the date they are not confirmed as U.S. citizens. That is, within 30 days of a non-confirmation, applicants may appeal the findings of the SSA and INS through their local voting officials by correcting erroneous information or submitting new information that could lead to a verification of their citizenship status. If no such appeal has been made after the 30-day period has lapsed, or no ultimate confirmation of citizenship has been received by election officials, the officials may reject the voter's registration application.

Commissioners of the SSA and INS must report their findings to Congress regarding the success and problems with the pilot program no later than December 31, 2001. At press time, CBO had not yet completed a cost estimate for the bill. H.R. 1428 was introduced by Mr. Horn on April 24, 1997; the Judiciary Subcommittee on Immigration and Claims held a hearing on the bill on July 25, 1997; however, the bill was not reported by any committee.

Additional Information: See *Legislative Digest*, Vol. XXVII, #2, February 6, 1998.

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